

From: Andrew Bachmann
To: Microsoft ATR
Date: 1/6/02 6:54pm
Subject: Microsoft Settlement

Dear Sir or Madam,

I'm writing in regards to the Microsoft Settlement. I have been watching the case over the years. As a computer consumer it has been sad to watch Microsoft continue to use it's influence to force hardware sellers to bundle their products with new computers. In particular, their use of the bootloader clause to force out other alternatives for me, such as the BeOS operating system.

As you may or may not be aware, recently Be, Inc., has been in process of dissolving after selling their intellectual property to Palm, Inc. The constraints that Microsoft has placed on the hardware sellers such as Dell, Compaq, etc. made it so that I couldn't buy a new computer with BeOS installed. Instead I could only buy a machine with Windows on it.

Now that Palm owns the BeOS there are many of us trying to encourage them to keep providing it and developing it. However, as Be, Inc., was effectively shutdown by Microsoft's tactics, it is not very appealing for Palm to try to continue with the BeOS under the present conditions.

So, when I get my new machine I will not be able to get a new version of BeOS for it. Also because of this the software makers who have made software for BeOS in the past are no longer continuing. So I have no software choice for my operating system.

I have heard that Microsoft is trying to make a settlement where they provide computers to schools. All these computers are to be installed with Microsoft software. It seems to me that this is not a penalty at all, but rather a way for Microsoft to insinuate usage of Microsoft into the youth. Because the students would only be exposed to Microsoft software they would not have knowledge of alternatives that might exist, and those alternatives would die away.

I think a more appropriate remedy would be for Microsoft to pay reparations to Be, Inc., and Be, Inc., shareholders. Also if they provide computers to schools, these computers should not be installed with Microsoft software. They should be provided with BeOS or some other operating system installed. And of course they have to allow for computer manufacturers to provide these options to consumers like myself. Then when I buy a computer I can have the choice of another operating system, which can be more stable and faster than Windows.

Since the beginning of this case I have been glad to see the Justice

Department acting in the interests of the computing consumers. Please continue to press for a just remedy to Microsoft's crimes against the consumer. Thanks for your time.

Andrew Bachmann